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DATE: January 25, 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

TO: The Federal Communications Commission (FCC)

*In the Matter of
Implementation of Section 8 of
the Cable Television Consumer
Protection and Competition
Act of 1992*

Docket No. 92-263

*Consumer Protection and
Customer Service*

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REPLY COMMENTS OF LAKE MINNETONKA CABLE COMMISSION

The Lake Minnetonka Cable Commission submits these reply comments in the above-captioned proceeding.

The Lake Minnetonka Cable Commission acknowledges the comments submitted by the National Association of Telecommunications Officers and Advisors, National League of Cities, United States Conference of Mayors, and the National Association of Counties regarding this proceeding. The Lake Minnetonka Cable Commission believes that the comments filed by other local authorities will also reflect the Cable Commission's position on the implementation of Section 8 of the Cable Television Consumer Protection and Competition Act of 1992 (the "1992 Act"). Accordingly, the Lake Minnetonka Cable Commission stresses the importance of those remarks filed by local authorities and respectfully requests the Federal Communications Commission to carefully consider these comments.

The Lake Minnetonka Cable Commission believes that the FCC should adopt a set of specific standards which will ensure adequate customer service throughout the country. The FCC-established standards should be self-executing and should apply to all cable systems as of the date of adoption of the standards by the FCC, without any further action to be taken by the local franchising authority.

The general rule that the FCC-established standards will apply to all cable operators should be subject to three exceptions: 1) where a franchising authority determines to waive one or more of the FCC standards in favor of less stringent standards; 2) where the franchising authority has more stringent customer service standards already in place; or 3) where a franchising authority exercises its right to promulgate more stringent standards or standards not addressed by the FCC standards.

Franchising authorities should be primarily responsible for enforcing the FCC-established standards. The FCC, if necessary, should act as a final arbiter of disputes between franchising authorities and cable operators.

The Lake Minnetonka Cable Commission believes that the FCC should establish comprehensive consumer protection rules. Customer service was a paramount concern of Congress in the passage of the 1992 Act. The legislative history of the 1992 Act is filled with testimony from cable subscribers, consumer groups and franchising authorities documenting customer service problems that are evident in both large and small systems. The Cable Commission has experienced and handled numerous subscriber complaints that range from invalid service disconnection, to confirmed cable installation that never takes place, and numerous service calls to resolve one cable television related problem.

The Lake Minnetonka Cable Commission urges the FCC not to adopt the NCTA standards. While the NCTA standards may provide a useful starting point in crafting a set of customer service standards, they are lacking in two key respects: they are neither stringent nor specific enough, and they do not address issues and areas that should be addressed, such as credits for a failure by the cable operator to keep a service call and credits for a failure by the cable operator to correct an outage or other reception problem, under their control, in a prompt manner.

The Lake Minnetonka Cable Commission believes that the approach proposed by local authorities, as filed in their comments, will ensure adequate customer service for cable subscribers in our fourteen communities, as well as throughout the country, and will not create any unreasonable burden on the cable operators.

Respectfully submitted,



Barbara Brancel, Chair
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